

IN RE: ELADIA FONTANEZ DIAZ

Bkrtcy. No. 11-00366-BKT

Chapter 13

STANDING CHAPTER 13 TRUSTEE §341 MEETING MINUTES
AND REPORT ON CONFIRMATION

Petition Filing Date: <u>Jan 21, 2011</u>	Meeting Date: <u>Feb 25, 2011</u>	DC Track No. <u>18</u>						
Days from petition date: <u>35</u>	Meeting Time: <u>1:00 PM</u>							
910 Days before Petition: <u>7/25/2008</u>	<input type="checkbox"/> Chapter 13 Plan Date: <u>Jan 21, 2011 Dkt.# 2</u>	<input type="checkbox"/> Amended.						
This is debtor(s) <u>Bankruptcy petition.</u>		Plan Base: <u>\$14,400.00</u>						
This is the <u>Scheduled Meeting</u>	Confirmation Hearing Date: <u>Apr 01, 2011</u>	Time: <u>2:30 PM</u>						
Payment(s) <input type="checkbox"/> Received or <input type="checkbox"/> Evidence shown at meeting:	<table border="1" style="width:100%"> <thead> <tr> <th>CK/MO No.</th> <th>Date</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table>	CK/MO No.	Date	Amount				Total Paid In: <u>\$400.00</u>
CK/MO No.	Date	Amount						

I. Appearances: <input type="checkbox"/> Telephone <input type="checkbox"/> Video Conference			Creditor(s) present: <input type="checkbox"/> None. <u>Money Express - Sanchez</u>
<input checked="" type="checkbox"/> Debtor Present	<input checked="" type="checkbox"/> ID & Soc. OK	<input type="checkbox"/> Debtor Absent	
<input type="checkbox"/> Joint Debtor Present	<input type="checkbox"/> ID & Soc. OK	<input type="checkbox"/> Joint Debtor Absent	
Debtor(s) was/were <input checked="" type="checkbox"/> Examined	<input type="checkbox"/> Not Examined under oath.		
Attorney for Debtor(s) <input checked="" type="checkbox"/> Present	<input type="checkbox"/> Not Present		
<input type="checkbox"/> Substitute attorney: <u>M. Vega</u>			<input type="checkbox"/> Pro-se

II. Attorneys Fees as per R 2016(b) Statement		Attorney of record: <u>ROBERTO FIGUEROA CARRASQUILL*</u>	
Total Agreed: <u>\$0.00</u>	Paid Pre-Petition: <u>\$0.00</u>	Outstanding:	<u>\$0.00</u>
		THROUGH THE PLAN	

III. Trustee's will file Motion to Dismiss:	<input type="checkbox"/> For Failure to appear;	<input type="checkbox"/> For Failure to commence payments.
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IV. Trustee's Report on Confirmation & Status of §341 Meeting			
Debtor(s) Income is (are) <input checked="" type="checkbox"/> Under	<input type="checkbox"/> Above Median Income.	Liquidation Value:	<u>\$ 4,116.00</u>
Commitment Period is <input checked="" type="checkbox"/> 36	<input type="checkbox"/> 60 months. [§1325(b)(1)(B)]	Gen. Unsecured Pool:	<u>N/A</u>
<u>13%</u> The Trustee <input type="checkbox"/> RECOMMENDS <input checked="" type="checkbox"/> OBJECTS <u>X</u> Plan confirmation.			
§341 Meeting <input type="checkbox"/> CONTINUED <input type="checkbox"/> NOT HELD <input checked="" type="checkbox"/> CLOSED <input type="checkbox"/> HELD OPEN FOR ___ DAYS			
§341 Meeting Rescheduled for: _____			

V. Trustee's OBJECTIONS to Confirmation:			
<input type="checkbox"/> FEASIBILITY [§1325(a)(6)]	<input type="checkbox"/> INSUFFICIENTLY FUNDED	<input type="checkbox"/> To pay \$507	<input type="checkbox"/> Fails Creditor's Best Interest Test §1325(A)(4)
<input type="checkbox"/> FAILS DISPOSABLE INCOME REQUIREMENTS	<input type="checkbox"/> Failure to comply with Tax returns requirements. [§1308]		
<input type="checkbox"/> Failure to comply with DSO requirements	<input type="checkbox"/> Plan not filed in Good Faith §1325(a)(3)	<input type="checkbox"/> Unfair Discrimination §1322(a)(3)	

ADDITIONAL OBJECTIONS / COMMENTS:
<u>① Must clarify payment Debtor made to Attorney of \$ 400.00 pre petition since R. 2016 and plan state zero (0) Balance.</u> <u>② No need for tax refund language social security & pension recipient.</u>

/s/ José R. Carrión
Trustee

Presiding Officer

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Date: Feb 25, 2011